

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ROGER STUBL,

Plaintiff,

v.

Case No. 2:07-cv-252

HON. R. ALLAN EDGAR

DEAN CAROLYN, et al.,

Defendants.

**ORDER**

The only remaining defendant in this case is Pam Austin. On April 8, 2011, Magistrate Judge Timothy P. Greeley submitted his report and recommendation [Doc. No. 81]. It is recommended that the plaintiff's complaint against defendant Pam Austin be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m) on the ground of failure to timely effect service of process. Plaintiff Roger Stubl has not timely filed any objections to the report and recommendation.

After reviewing the record, the Court **ACCEPTS and ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b), and W.D. Mich. LCivR 72.3. Accordingly, the plaintiff's complaint against defendant Pam Austin is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 4(m) on the ground of failure to timely effect service of process. There being no further claims or causes of action remaining before the Court, and all of the plaintiff's claims against the defendants having been dismissed, a separate final judgment will be entered granting judgment in favor of the defendants and closing this civil action.

SO ORDERED.

Date: April 27, 2011.

/s/ R. Allan Edgar

R. ALLAN EDGAR

UNITED STATES DISTRICT JUDGE